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MBHB

P.01

FILE COPY

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. MBHB03-373)

#231

In re Application of:)
)
Layne Britton) Group Art Unit: 2612
)
Serial No.: 09/412,993) Examiner: Not Assigned
)
Filed: October 5, 1999)
)
For: Providing Audience Flow-in a Personal)
Television Device)

RECEIVED

AUG 27 2004

Technology Center 2600

FACSIMILE TRANSMITTAL LETTER

Commissioner for Patents
Office of Initial Patent Examination
P.O. Box 1450
Alexandria Virginia 22313-1450

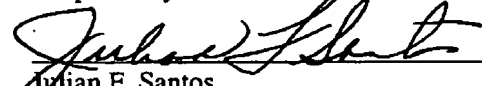
Facsimile No. 703-746-9195
Total Pages: 5

Dear Sir:

In regard to the above identified application,

1. We are transmitting herewith the attached:
 - a) Request for Corrected Filing Receipt;
 - b) Copy of Filing Receipt with changes noted thereon;
 - c) Copy of Patent Application Transmittal with PTO stamped serial number and filing date;
 - d) Copy of PTO Decision Granting Applicant's Petition Under 37 C.F.R. 1.137(B).
2. With respect to fees:
 - a) No fee is required.
 - b) Please charge any underpayment or credit any overpayment our Deposit Account, No. 13-2490.
3. CERTIFICATE UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1, are being faxed to the Commissioner for Patents, Office of Initial Patent Examination, P.O. Box 1450, Alexandria Virginia 22313-1450, facsimile 703-746-9195 on July 28, 2004.

Respectfully submitted,


Julian F. Santos
Registration No. 47,917

McDonnell Boehnen Hulbert & Berghoff LLP
300 South Wacker Drive
Chicago, IL 60606
(312)913-0001 - Telephone
(312)913-0002 - Facsimile

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. MBHB03-373)

In re Application of:)
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REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents
Office of Initial Patent Examination
P.O. Box 1450
Alexandria Virginia 22313-1450

Dear Sir:

1. Attached is a copy of the official filing receipt received from the PTO dated April 26, 2004 in the above-referenced application for which issuance of a corrected filing receipt is respectfully requested.
2. There is an error with respect to the following data, which is incorrectly entered.

Error In:

Filing Date: October 14, 2003

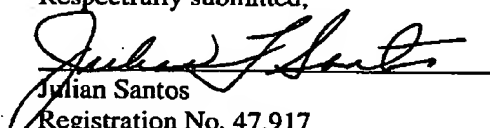
Correct Data:

Filing Date: October 5, 1999

3. Attached is a copy of the Patent Application Transmittal with the PTO stamped serial number and filing date as well as a copy of the PTO Decision granting Applicant's Petition Under 37 C.F.R. 1.137(B), both of which reflect the October 5, 1999 filing date.
4. The correction is not due to any error by applicant and no fee is due.

Date: July 28, 2004

Respectfully submitted,


Julian Santos

Registration No. 47,917

McDonnell Boehnen Hulbert & Berghoff LLP
300 South Wacker Drive, 32nd Floor
Chicago, IL 60606
(312)913-0001



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
09/412,993	10/14/2003	2612	1180	R0027	6	30	5

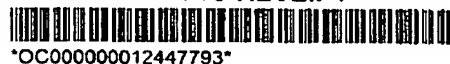
10-5-99

020306

MCDONNELL BOEHNNEN HULBERT & BERGHOFF LLP
300 S. WACKER DRIVE
32ND FLOOR
CHICAGO, IL 60606

CONFIRMATION NO. 1380

UPDATED FILING RECEIPT



OC000000012447793

Date Mailed: 04/26/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

LAYNE BRITTON, PALO ALTO, CA;

DOCKETED

Domestic Priority data as claimed by applicant

MAY 01 2004
15-10114/04
DUE DATE
BY: ORR

Foreign Applications

If Required, Foreign Filing License Granted: 10/28/1999

Projected Publication Date: 04/14/2005

Non-Publication Request: No

Early Publication Request: No

Title

PROVIDING AUDIENCE FLOW IN A PERSONAL TELEVISION DEVICE

Preliminary Class

386

10/05/99
jc644 U.S. PTO

Please type a plus sign (+) inside this box → ☒

Approved for use through 09/30/2000. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL (Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))	Attorney Docket No.	R0027
	First Inventor or Application Identifier	BRITTON
	Title	PROVIDING AUDIENCE FLOW IN A PERSONAL TELEVIS
	Express Mail Label No.	

APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents.		ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231	
1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing)		5. <input type="checkbox"/> Microfiche Computer Program (Appendix)	
2. <input checked="" type="checkbox"/> Specification [Total Pages 21] (preferred arrangement set forth below) - Descriptive title of the invention - Cross References to Related Applications - Statement Regarding Fed sponsored R & D - Reference to Microfiche Appendix - Background of the invention - Brief Summary of the invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure		6. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input type="checkbox"/> Computer Readable Copy b. <input type="checkbox"/> Paper Copy (identical to computer copy) c. <input type="checkbox"/> Statement verifying identity of above copies	
3. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets 6]		ACCOMPANYING APPLICATION PARTS	
4. Oath or Declaration [Total Pages <input]<br="" type="checkbox"/> a. <input checked="" type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 C.F.R. § 1.63(d)) (for continuation/divisional with Box 16 completed) i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).		7. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s)) 8. <input type="checkbox"/> 37 C.F.R. § 3.73(b) Statement of Power of Attorney (when there is an assignee) 9. <input type="checkbox"/> English Translation Document (if applicable) 10. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 [Copies of IDS Citations] 11. <input type="checkbox"/> Preliminary Amendment 12. <input type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized) 13. <input type="checkbox"/> Small Entity Statement(s) filed in prior application (PTO/SB/09-12) Status still proper and desired 14. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed) 15. <input type="checkbox"/> Other:	
* NOTE FOR ITEMS 1 & 13: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27); EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).			
16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment: <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No: _____ Prior application information: Examiner _____ Group / Art Unit: _____ For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.			
17. CORRESPONDENCE ADDRESS			
<input type="checkbox"/> Customer Number or Bar Code Label (Insert Customer No. or Attach bar code label here) or <input checked="" type="checkbox"/> Correspondence address below			
Name	David Halvorson Replay Networks, Inc.		
Address	1945 Charleston Road		
City	Mtn. View	State	CA
Country	USA	Zip Code	94043-1201
Telephone	650-210-1173	Fax	650-691-0158

Name (Print/Type)	David Halvorson	Registration No. (Attorney/Agent)	33,395
Signature	<i>David Halvorson</i>	Date	10/5/99

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.



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Paper No. 17

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CHICAGO IL 60606

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NOV 18 2003

OFFICE OF PETITIONS

In re Application of
Britton

Application No. 09/412,993

Filed: October 5, 1999

Attorney Docket No. R0027

For: PROVIDING AUDIENCE FLOW IN A
PERSONAL TELEVISION DEVICE

DECISION NOTING JOINDER OF
INVENTOR AND DISMISSING
PETITION UNDER 37 CFR 1.47(B)
AS MOOT

&

DECISION GRANTING
PETITION UNDER 37 CFR 1.137(B)

This decision addresses the reconsideration petitions under 37 CFR 1.47(b) and 37 CFR 1.137(b), both filed October 14, 2003 in the same paper.

On November 1, 1999, the Office mailed a Notice to File Missing Parts of Nonprovisional Application, which set forth an extendable two (2) month period to submit an executed oath or declaration, filing fees, and a \$130.00 surcharge under 37 CFR 1.16(e) for their late filing. No response was received. Thus, this application became abandoned on January 2, 2000.

Papers filed on October 14, 2003 included a declaration signed by the previously nonsigning inventor, Layne Britton, in compliance with 37 CFR 1.63.

In view of the joinder of the inventor, the reconsideration petition under 37 CFR 1.47(b) is dismissed as moot; this application does not have any rule 1.47(b) status and no such status should appear on the file wrapper. This application need not be returned to this office for any further consideration under 37 CFR 1.47(b).

With respect to the reconsideration petition under 37 CFR 1.137(b), petitioner has submitted a reply in the form of a proper declaration, an acceptable statement of the unintentional nature of the delay in responding to the November 1, 1999 Notice to File Missing Parts of Nonprovisional Application, and the petition fee.

The petition under 37 CFR 1.137(b) is granted.

This application will be returned to the Office of Initial Patent Examination for further processing.

Telephone inquiries should be directed to the undersigned at (703) 308-6712.

E. Shirene Willis

E. Shirene Willis
Senior Petitions Attorney
Office of Petitions